



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Julius I. Pershwitz )  
Serial No.: 10/770,463 ) Examiner: R. J. McCarry, Jr.  
Filed: 02/04/2004 ) Art Unit: 3617

AMENDMENT

Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated February 4, 2005, please enter the following amendment.

Remarks

Independent Claim 1 and 21 as presently on file set forth a suspension design for a railway truck wherein a bolster has two ends. Each bolster end is supported on a spring group on a first and a second sideframe. The spring group is said to have a reserve capacity of less than 1.50.

Independent Claim 14 sets forth a method for turning a spring suspension of a railway truck. A bolster is said to be coupled to the sideframes with a suspension system. The suspension system comprises a spring group with a reserve capacity of less than 1.50.

Reserve capacity is defined at page 5, paragraph 15 of the present application and reserve capacity is said to be calculated by taking the spring groups total solid capacity and dividing it by the total loaded weight less the unsprung truck weights, with the difference divided by the number of spring groups. An example is given of a proper calculation.

The examiner has rejected claims 1-21 under 35 USC 102(b) as anticipated by US Patent No. 5,524,551, Hawthorne et al. Hawthorne et al discusses a railway truck having a bolster with two ends each supported on spring groups in openings of two sideframes. But the Examiner then states "The spring anomalies are further comprised of a reserve capacity less than 1.5 as described in column 11 line 59 to column 12 line 4. They are also shown in figure 7".

Applicant's attorney has carefully read Hawthorne et al. The term reserve capacity does not appear in Hawthorne et al. The definition of the term "reserve



SPW

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

2

Application Number

60/482,133

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02/04/2004 ✓

First Named Inventor

Pershwitz

Art Unit

Examiner Name

R. J. McCarry, Jr.

Attorney Docket Number

28,695

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

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Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

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Extension of Time Request

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Express Abandonment Request

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Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

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Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

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Drawing(s)

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Licensing-related Papers

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Petition

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Petition to Convert to a  
Provisional Application

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Power of Attorney, Revocation  
Change of Correspondence Address

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Terminal Disclaimer

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After Allowance Communication to TC

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Appeal Communication to Board  
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Appeal Communication to TC  
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Proprietary Information

☐

Status Letter

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Other Enclosure(s) (please identify  
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

AMSTED Industries Incorporated

Signature

Printed name

Edward J. Brosius

Date

05/02/2005

Reg. No.

28,695

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